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OPINION & ORDER  
[Resolving Docs. No.14]

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Case No. 4:06-CV-1973  
Gwin, J.

## II. Legal Standard

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of the Report to which an objection has been made. *See* 28 U.S.C. § 636(b)(1). Any objections must be filed with the Clerk of Court within ten days of the report's issuance. *Id.* Parties waive their right to appeal the Recommendation if they fail to object within the time allowed. *See, e.g., Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

## III. Analysis

Having conducted its own review of the facts and findings in the case, the Court agrees with the conclusion of Magistrate Judge Limbert and adopts the Report and Recommendation as its own. Therefore, the Court incorporates Magistrate Judge Limbert's findings of fact and conclusions of law fully herein by reference. Accordingly, the Court denies the Plaintiff's motion for reconsideration.

## IV. Conclusion

For the reasons discussed above, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge and **DENIES** the Plaintiff's motion for reconsideration. [Docs. 7, 14.]

IT IS SO ORDERED.

Dated: March 6, 2007

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE